

### REMARKS

This Application has been carefully reviewed in light of the Final Office Action mailed April 9, 2008. At the time of the Final Office Action, Claims 10-14 were pending in this Application. Claims 10-14 were rejected. Applicants respectfully request reconsideration and favorable action in this case.

#### **Rejections under 35 U.S.C. §103**

Claims 10-14 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,256,955 issued to Masashi Tomura et al. ("*Tomura*"). Applicants respectfully traverse and submit the cited art combinations, even if proper, which Applicants do not concede, does not render the claimed embodiment of the invention obvious.

In order to establish a prima facie case of obviousness, the references cited by the Examiner must disclose all claimed limitations. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). Even if each limitation is disclosed in a combination of references, however, a claim composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art. *KSR Int'l. Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1741 (2007). Rather, the Examiner must identify an apparent reason to combine the known elements in the fashion claimed. *Id.* "Rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." *Id.*, citing *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006). Finally, the reason must be free of the distortion caused by hindsight bias and may not rely on ex post reasoning. *KSR*, 127 S.Ct. at 1742. In addition, evidence that such a combination was uniquely challenging or difficult tends to show that a claim was not obvious. *Leapfrog Enterprises, Inc. v. Fisher-Price, Inc. and Mattel, Inc.*, 485 F.3d 1157, 1162 (Fed. Cir. 2007), citing *KSR*, 127 S.Ct. at 1741.

The Examiner stated that *Tomura* allegedly discloses a charging cradle with a housing having a guide shaft (Fig. 19, 80). Applicants respectfully disagree. *Tomura* does not disclose a guide shaft in Fig. 19. Fig. 19 relates to a different embodiment and shows a battery pack 58 that can be inserted into the upper case 12 with a battery pack holder 76.

*Tomura*, col. 7, lines 39-42. Guide rails 80 are provided for the relocation of the battery holder 76. *Tomura*, col. 7, lines 45-47. However, the independent claim 10 claims a different function for the guide shaft. According to claim 10, the guide shaft is used to receive the connector to provide contact between the large-surface contact areas and the spring tongues.

Moreover, for similar reasons, *Tomura* does not disclose a connector that can be inserted into the guide shaft. *Tomura* is more or less silent with respect to the supply cord which has to be used to provide the cradle with a supply voltage. However, *Tomura* mentions that a curled cord is threaded through hole 61. *Tomura*, col. 5, line 41. hence, *Tomura* clearly lacks the element of a connector, let alone a connector comprising large-surface contact areas.

In summary, Applicants believe that *Tomura* does not render independent claim 10 obvious. Applicants respectfully submit that the dependent Claims are allowable at least to the extent of the independent Claim to which they refer, respectively. Thus, Applicants respectfully request reconsideration and allowance of the dependent Claims. Applicants reserve the right to make further arguments regarding the Examiner's rejections under 35 U.S.C. §103(a), if necessary, and do not concede that the Examiner's proposed combinations are proper.

**Request for Continued Examination (RCE)**

Applicants respectfully submit herewith a Request for Continued Examination (RCE) Transmittal. Applicants authorize the Commissioner to charge the amount of \$810.00 for the required filing fee to Deposit Account No. 50-2148 of Baker Botts L.L.P.

**Association of Customer Number and Change of Correspondence Address**

Applicants respectfully request that all papers pertaining to the above-captioned patent application be associated with Customer No. **31625**, and direct all correspondence pertaining to this patent application to practitioners at Customer Number **31625**. All telephone calls should be directed to Andreas Grubert at 512.322.2545. A Revocation and Power of Attorney is filed herewith.

ATTORNEY DOCKET  
071308.1020  
(2003P17931WOUS)

PATENT APPLICATION  
10/595,816

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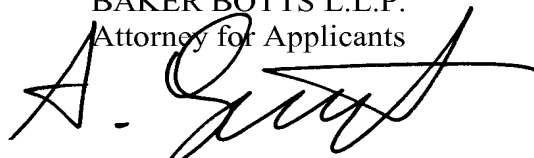
### CONCLUSION

Applicants have made an earnest effort to place this case in condition for allowance in light of the remarks set forth above. Applicants respectfully request reconsideration of the pending claims.

Applicants believe there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2545.

Respectfully submitted,  
BAKER BOTTS L.L.P.  
Attorney for Applicants

A handwritten signature in black ink, appearing to read 'A. Grubert', is written over the typed name and title.

Andreas Grubert  
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Date: July 7, 2008

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